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SUBSIDIARY BODY FOR SCIENTIFIC AND TECHNOLOGICAL ADVICE
SUBSIDIARY BODY FOR IMPLEMENTATION
First sessions
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DIVISION OF LABOUR BETWEEN THE SUBSIDIARY BODIES ESTABLISHED BY THE CONVENTION

Note by the secretariat

1. Introduction

1. The Conference of the Parties at its first session (COP 1) took a number of decisions that affect, directly or indirectly, the work of the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI). Some of these decisions either accord similar responsibilities to both subsidiary bodies or do so in ways that require clarification in order to avoid duplication of work.

2. The secretariat has attempted to address this question through the draft programmes of work prepared for consideration by the SBSTA and the SBI at their first sessions (FCCC/SBSTA/1995/2 and FCCC/SBI/1995/2). If these programmes of work are accepted, they would result in a division of labour between the two subsidiary bodies, with each focusing on, or taking the lead with regard to, particular aspects of those issues where responsibility is shared between them. This would not, however, limit the ability of a body to decide what was within its mandate. Secretariat documents for these bodies would, when relevant, be divided according to scientific/technical and policy aspects in order to facilitate work in the respective bodies.

3. The present note has been prepared for information. It is designed to explain the thinking behind the proposals of the secretariat in each work programme. It is not for discussion as a separate agenda item.

4. It will be recalled that each of the subsidiary bodies is requested to report to COP 2 on its longer-term activities and organizational arrangements, including any adjustments to the functions and/or allocation of work. This would provide an opportunity to clarify the situation on the basis of experience at that time. In the meantime, it is important that the officers of the SBSTA and the SBI continue to work closely together. The Bureau of the COP, of which the Chairmen of both bodies are members, will also be able to keep the situation under review.

5. The SBSTA and the SBI share responsibility on five issues, which are considered below.

2. Communications from Annex I Parties

6. Decisions 2/CP.1 and 3/CP.1 on the submission and review of communications from Annex I Parties give responsibilities to "the subsidiary bodies" (see FCCC/CP/1995/7/Add.1). The particular issue of "statistical adjustments" is given to the SBSTA. Decision 6/CP.1 on the subsidiary bodies assigns responsibilities to both bodies, with the SBSTA to focus on "scientific and technical aspects" and the SBI to focus on "policy aspects". The communications, in-depth review reports and synthesis documents are to be considered by both bodies.

7. The draft programmes of work are based on the following division of labour:

SBSTA: To consider the scientific and technical aspects of national communications and in-depth review reports, including the issue of statistical adjustments; to oversee the preparation of the compilation and synthesis;

SBI: To consider the policy aspects of national communications, in-depth review reports and the compilation and synthesis, especially the overall aggregated effect of steps taken.

3. Activities implemented jointly under the pilot phase

8. Decision 5/CP.1 on activities implemented jointly provides that the SBSTA, in coordination with the SBI, will establish a framework for reporting on such activities. Furthermore, the SBSTA and the SBI, with the assistance of the secretariat, are requested to prepare a synthesis report for consideration by the COP.

9. The draft programmes of work are based on the following division of labour:

SBSTA: To develop the framework for reporting (in coordination with the SBI); to consider the technical aspects of the synthesis report and transmit the report together with any conclusions and recommendations to the COP;

SBI: To consider the policy aspects of the synthesis report and transmit the report together with any conclusions and recommendations to the COP; to advise the SBSTA on the framework for reporting.

4. Technology

10. Decision 13/CP.1 on transfer of technology provides that the documents requested, namely the progress report, inventory and assessment and terms of transfer, are to be considered by the SBSTA, and the SBSTA is to provide advice to the secretariat. Decision 6/CP.1 on the subsidiary bodies requires the SBSTA to identify technologies and advise on promoting technology development/transfer. However, that decision also requires the SBI to advise the COP on transfer of technology and to consider the implementation of Article 4.5.

11. The draft programmes of work are based on the following division of labour:

SBSTA: To focus on issues relating to technology identification, assessment and development; to consider the technology "inventory and assessment" document;

SBI: To focus on issues relating to transfer of technology and implementation of related commitments; to consider the "itemized progress report" on implementation of transfer of technology commitments and the elaboration on the terms of transfer.

On this point, the proposal diverges somewhat from decision 13/CP.1. However, the secretariat believes that the proposal reflects the intent of decision 6/CP.1 as well as that of the Convention and makes for a rational distribution of labour between the two bodies.

5. Communications from non-Annex I Parties

12. Decision 8/CP.1 requests "the subsidiary bodies" to develop for consideration by COP 2 recommendations on guidelines for the preparation of national communications from non-Annex I Parties and proposals for the process to consider these communications.

13. The draft programmes of work are based on the following division of labour:

SBSTA: To develop recommendations on guidelines for the communications;

SBI: To develop proposals on the process for considering the communications.

6. Emissions from bunker fuels

14. Decision 4/CP.1 requires both the SBSTA and the SBI to address the issue of the allocation and control of emissions from international bunker fuels.

15. The draft programmes of work are based on the following division of labour:

SBSTA: To consider the technical aspects of the allocation and control of emissions, as well as other relevant information;

SBI: To determine what technical and other information it would need in order to make recommendations to the COP and to request such information from the SBSTA; to consider the policy implications of different options for the allocation and control of emissions on the basis of the information provided by the SBSTA.

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